

Electronically Recorded

Official Public Records

Tarrant County Texas

2009 Apr 28 01:35 PM

Fee: \$ 20.00

Submitter: SIMPLIFILE

D209112401

2 Pages



Suzanne Henderson

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

AMENDMENT OF DESCRIPTION OF OIL, GAS AND MINERAL LEASE

STATE OF TEXAS }

COUNTY OF TARRANT }

WHEREAS, David and wife, Susan Foster, hereinafter referred to as "Lessors", heretofore executed an Oil, Gas and Mineral Lease dated February 14, 2007, to **Dale Property Services, LLC**, located at 2100 Ross Avenue, Suite 1870, LB-9, Dallas, Texas 75201, hereinafter referred to as "Lessee", and as recorded in Document No. D207060124, Official Public Records of Tarrant County, Texas, hereinafter referred to as "the Lease", whereby Lessor leased certain lands situated in Tarrant County, Texas, as described in the Lease to wit:

1.545 acres of land, of the W. W. Warnell Survey, an addition to the City of Arlington, thereof recorded in Volume 4111, Page(s) 96, of the Plat records of Tarrant County, Texas.

AND WHEREAS, said description in the Lease is incomplete and indefinite and the lands intended to be covered are more accurately described as follows:

1.545 acres, more or less, out of the W. W. Warnell Survey, A-1612, Tarrant County, Texas, described in a Warranty Deed dated January 28, 2003, recorded in Document No. D204137021, Official Public Records, Tarrant County, Texas, from Diana Eileen Thornbury, Independent Executrix of the Estate of Janice G. Welch, to David Foster and wife, Susan A. Foster.

AND WHEREAS, the Lease and all rights and privileges thereunder are now owned by **XTO Energy Inc.**, a Delaware corporation, whose mailing address is 810 Houston Street, Fort Worth, Texas 76102 (hereinafter called "Lessee"); and

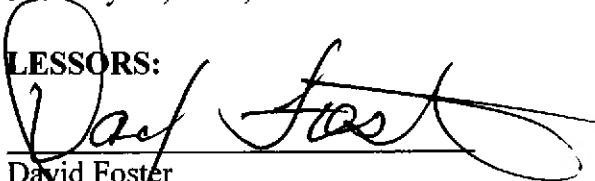
NOW, THEREFORE, in consideration of the premises, and for the purposes of making the said lease definite and certain in respect to the identity of the lands to be covered thereby, the undersigned **David Foster and Susan Foster a/k/a Susan A. Foster, husband and wife** do hereby declare that it was and is our intention to lease for oil and gas purposes the identical tract of land last above described; and we hereby amend said lease in respect to the description of the lands included therein, as aforesaid, and ratify and adopt the same as so amended.

EXCEPT as otherwise amended the above described lease is and shall remain in full force and effect as written in accordance with its terms and conditions, and the undersigned Lessors recognize said lease as a valid and sustaining Oil, Gas and Mineral Lease.

D209112401

IN WITNESS WHEREOF, this instrument is executed by the undersigned Lessors on the respective date of acknowledgment below, but is effective as of the date of February 14, 2007, the date of the Lease.

LESSORS:


David Foster


Susan Foster a/k/a Susan A. Foster

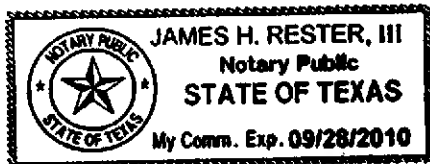
Address: 7905 Calender Road
Arlington, Texas 76001

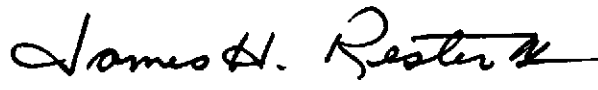
ACKNOWLEDGMENT

STATE OF TEXAS }

COUNTY OF Tarrant

This instrument was acknowledged before me on the 20th day of April, 2009, by David Foster and Susan Foster a/k/a Susan A. Foster, husband and wife.




Notary Public, State of Texas

Return to: Bryson G. Kuba
6127 Green Jacket Dr.
Apt. # 1136
Fort Worth, TX 76137